

**FINAZZO COSSOLINI O'LEARY
MEOLA & HAGER, LLC**
5 Penn Plaza, 23rd Floor
New York, NY 10001
Attorneys for Defendant
TRAVCO Insurance Company

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

YI HUEY KUO,

Plaintiff,

v.

TRAVCO INSURANCE COMPANY,

Defendant.

Civil Action No. :

Removed from:

Supreme Court of the State of New York,
County of Queens

Index No.: 706496/16

NOTICE OF REMOVAL

TO: DOUGLAS C. PALMER, CLERK OF THE COURT

United States District Court
for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

CRAIG A. BLUMBERG, ESQ.

Law Office of Craig A. Blumberg, Esq.
Attorney for Plaintiff
Yi Huey Kuo
15 Maiden Lane, 20th floor
New York, NY 10038-4003

PLEASE TAKE NOTICE THAT pursuant to 28 U.S.C. §§ 1332 and 1441, Defendant, TRAVCO Insurance Company ("TRAVCO") by its undersigned attorneys, Finazzo Cossolini O'Leary Meola & Hager, LLC, hereby remove the above-captioned civil action, and all claims and causes of action therein, from the Supreme Court of the State of New York, County of

Queens, to the United States District Court for the Eastern District of New York. The grounds for removal are as follows:

1. On June 2, 2016, Plaintiff commenced an action in the Supreme Court of the State of New York, County of Queens, Index No. 706496/16, by the filing of a Complaint. A true and complete copy of the Complaint is attached hereto as Exhibit A.

2. On June 2, 2016, Plaintiff issued a Summons against TRAVCO, which was purportedly served upon the New York office of a Travelers group company on June 15, 2016. A true and complete copy of the Summons against TRAVCO is attached hereto as Exhibit B. Therefore, this Notice of Removal is timely filed.

3. True and complete copies of all process, pleadings and orders against Defendant in the state court action, consisting at this time solely of the Summons, Complaint and Affidavit of Service are attached hereto as Exhibits A and B.

4. This action is a civil action of which this Court has original jurisdiction under 28 U.S.C. § 1332, and is one which may be removed to this Court by TRAVCO pursuant to the provisions of 28 U.S.C. § 1441, in that it is a civil action between citizens of different states and the matter in controversy exceeds the sum of \$75,000, exclusive of interest and costs.

5. Plaintiff is an individual residing in the State of New York. TRAVCO is a corporation organized under the laws of the State of Connecticut with its principal place of business in Connecticut. There is complete diversity of citizenship between the parties hereto, thereby satisfying the diversity of citizenship requirement of 28 U.S.C. § 1332.

6. Plaintiff's Complaint demands judgment against TRAVCO for compensatory damages "in an amount of at least \$164,294.97". Therefore, the amount in controversy exceeds

the sum of \$75,000.00, exclusive of interest and costs, thereby satisfying the amount in controversy requirement of 28 U.S.C. § 1332.

7. Defendant will promptly serve a copy of this Notice of Removal on Plaintiff's attorney, and will file a copy of this Notice of Removal with the Clerk of the Supreme Court of the State of New York, County of Queens, pursuant to 28 U.S.C. § 1446(d).

WHEREFORE, Defendant, under 28 U.S.C. §§ 1332 and 1441, removes this action in its entirety from the Supreme Court of the State of New York, County of Queens, to the United States District Court for the Eastern District of New York.

**FINAZZO COSSOLINI O'LEARY
MEOLA & HAGER, LLC**

By: 

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Attorneys for Defendant,
TRAVCO Insurance Company

Dated: July 8, 2016

AFFIRMATION OF SERVICE

I hereby certify that on this 8th day of July, 2016, the foregoing Notice of Removal was electronically filed with the Clerk of the Court, United States District Court for the Eastern District of New York and that a copy was served via regular mail upon the following:

CRAIG A. BLUMBERG, ESQ.

Law Office of Craig A. Blumberg, Esq.

Attorney for Plaintiff

Yi Huey Kuo

15 Maiden Lane, 20th floor

New York, NY 10038-4003



Gregory M. McHugh, Esq.